

3-14-05 Ifu  
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11 March 2005

MS PG Pub  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

*Via Express Mail*  
EV 469 986 456 US

Re: USSN: 10/798,991 Filed: 12 March 2004  
Assignee: Network Appliance, Inc.  
Title: MANAGING DATA REPLICATION POLICIES  
*Transmittal of Request to Rescind Previous Nonpublication Request  
Under 35 USC 122(b)(2)(B)(ii) and Notification of Foreign Filing  
Under 35 USC 122(b)(2)(B)(iii)*  
Our File No.: 5693.P054

Dear Sirs:

A Request and Certification under 35 USC 122(b)(2)(B)(i) has been submitted for this invention. We herewith submit a Request to Rescind Previous Nonpublication Request under 35 USC 122(b)(2)(B)(ii) and a Notification of Foreign Filing under 35 USC 122(b)(2)(B)(iii).

Respectfully submitted,

Blakely, Sokoloff, Taylor & Zafman LLP

Lester J Vincent  
Reg. No. 31,460

LJV/SKW/sgt  
Enclosure

RECEIVED  
MAR 14 2005  
GREG JONES

**RESCISSION OF PREVIOUS NONPUBLICATION REQUEST**  
**(35 U.S.C. 122(b)(2)(B)(ii))**  
**AND, IF APPLICABLE,**  
**NOTICE OF FOREIGN FILING**  
**(35 U.S.C. 122(b)(2)(B)(iii))**

Send completed form to:

**Mail Stop PG Pub**

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

FAX: (703) 305-8568

Application Number 10/798,991

Filing Date 12 March 2004

First Named Inventor Sahn Lam

Title MANAGING DATA REPLICATION POLICIES

Attorney Docket No. 5693.P054

Group Art Unit 2171

Examiner \_\_\_\_\_

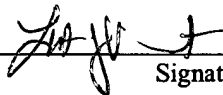
A request that the above-identified application not be published under 35 U.S.C. 122(b) (nonpublication request) was included with the above-identified application on filing pursuant to 35 U.S.C. 122(b)(2)(B)(i). I hereby **rescind** the previous nonpublication request.

If a notice of foreign or international filing is or will be required by 35 U.S.C. 122(b)(2)(B) (iii) and 37 CFR 1.213(c), I hereby provide such notice. This notice is being provided no later than forty-five (45) days after the date of such foreign or international filing.

If a notice of subsequent foreign or international filing required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c) was not filed within forty-five (45) days after the date of filing of the foreign or international application, the application is ABANDONED, and a petition to revive under 37 CFR 1.137(b) is required. See 37 CFR 1.137(f).

March 11, 2005

Date



Signature

(408) 720-8300

Telephone

Lester J. Vincent

Typed or Printed Name

31,460

Registration No.

**This request must be signed in compliance with 37 CFR 1.33(b).**

If information or assistance is needed in completing this form, please contact the Pre-Grant Publication Division at (703) 605-4283 or by e-mail at [PGPub@USPTO.gov](mailto:PGPub@USPTO.gov).

**EXPRESS MAIL STATEMENT**

"Express Mail" mailing label number: EV 469 986 456 US

Date of Deposit: 11 March 2005

I hereby state that I am causing this correspondence to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this correspondence has been addressed to: Mail Stop PG Pub, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Name (Print/Type) Sara Gomez-Tavarez

Signature 

Date Signed 3/11/05